

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

SERTA SIMMONS BEDDING, LLC and
DREAMWELL, LTD.,

Plaintiffs,

v.

CASPER SLEEP INC.,

Defendant.

Civil Action No. 17-cv-7468

**DECLARATION OF NATHAN R. CURTIS IN SUPPORT OF CASPER SLEEP INC.'S
MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT**

I, Nathan R. Curtis, hereby declare as follows:

1. I am a resident of the United States and over the age of 21. The facts set forth herein are true and of my personal knowledge. If called upon to testify, I could and would verify competently thereto.

2. I am an attorney with the law firm of Gibson, Dunn & Crutcher LLP, counsel for Defendant Casper Sleep Inc. ("Casper") in the above-captioned action. I am a member in good standing of the State Bar of Texas and am admitted to practice *pro hac vice* in the above-captioned action in this Court.

3. I submit this declaration in support of Casper's Motion for Summary Judgment of Non-Infringement.

4. Attached as **Exhibit A** hereto is a true and correct copy of a January 30, 2018, letter from Josh Krevitt (counsel for Casper) to Paul Schoenhard (counsel for Plaintiffs).

5. Attached as **Exhibit B** hereto is a true and correct copy of a February 1, 2018, letter from Paul Schoenhard to Josh Krevitt.

6. Attached as **Exhibit C** hereto is a true and correct copy of a February 15, 2018, letter from Josh Krevitt to Paul Schoenhard.

7. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed: February 15, 2018

/s/ Nathan R. Curtis
Nathan R. Curtis

CERTIFICATE OF SERVICE

I certify that the foregoing document was electronically filed with the Clerk of the Court on February 15, 2018, via the Court's CM/ECF system and has been served on all counsel of record who have consented to electronic service.

Dated: February 15, 2018

/s/Katherine Dominguez

Katherine Dominguez